

**CITY OF CANAL FULTON
CITY COUNCIL MEETING AGENDA**

October 3, 2017

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. Stark County Health Department

Bonnie Paridon & Randy Ruzkowski ~Service Update to City

5. REPORTS OF STANDING COMMITTEES

6. CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)

7. CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

9-19-17 Minutes

8. REPORTS OF ADMINISTRATIVE OFFICERS

- o Senior Citizens
- o Community Service
- o Fire Chief
- o Police Chief
- o Engineer
- o Streets
- o Public Utilities
- o Planning/Zoning
- o Finance Director
- o City Manager
- o Mayor
- o Parks & Recreation Board
- o Law Director

9. THIRD READINGS

Ordinance 20-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Resolution 21-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Convey seven (7) Acres to the Canal Fulton YMCA Subject to Conditions and Restrictions.

Ordinance 21-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Resolution 23-17: A Resolution Approving the Plan of Operation and Governance for the NOPEC Gas Aggregation Program for the Purpose of Jointly Establishing and Implementing a Gas Aggregation Program

Resolution 24-17: A Resolution Authorizing Entering into a Natural Gas Program Agreement with the Northeast Ohio Public Energy Council

Ordinance 22-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

10. SECOND READINGS

Ordinance 23-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

11. FIRST READINGS

Ordinance 24-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Ordinance 25-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Resolution 25-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Convey Seven (7) Acres to the Canal Fulton YMCA Subject to Conditions and Restrictions

Resolution 26-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with the Board of Trustees of Local Organized Governments in Cooperation for Police Dispatching Services.

Resolution 27-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with the Board of Trustees of Local Organized Governments in Cooperation for Fire/EMS Dispatching Services

Resolution 28-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Amended Agreement with the Board of Trustees of Local Organized Governments in Cooperation for a Regional Council of Governments

12. P.O.s

P.O. 11407 to CTI Engineers, Inc. in the amount of \$65,000.00 for General Engineering Services – Replaces P.O. 11108

P.O. 11408 to Bob Ross Auto Group in the amount of \$34,000.00 for 2017 GMC 3500 Pick Up Truck for Utilities

P.O. 11422 to Roll N Rack LLC in the amount of \$8,235.00 for Purchase of a Power Hose Roller & Cart.

P.O. 11423 to Guist Decorators in the amount of \$16,500.00 to Sand Blast and Paint Clarifier #2 Tank

**CITY OF CANAL FULTON
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13. **BILLS:**
14. **OLD/NEW/OTHER BUSINESS**
15. **REPORT OF PRESIDENT PRO TEMPORE**
16. **REPORT OF SPECIAL COMMITTEES**
17. **CITIZENS COMMENTS – Open Discussion (Five Minute Rule)**
18. **ADJOURNMENT**

**CITY OF CANAL FULTON
CITY COUNCIL MEETING AMENDED AGENDA
September 19, 2017**

CALL TO ORDER

Mayor Joseph Schultz called the meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Council in attendance were Mayor Joseph Schultz, Dan Bucher Jr., Sean Craney, Sue Mayberry, Danny Losch, Scott Svab and Nellie Cihon

City Staff in attendance were City Manager Mark Cozy, Police Chief Doug Swartz, Fire Chief Ray Durkee, Finance Director William Rouse, and Council Clerk Teresa Dolan.

Others in attendance were Joan Porter, Cheli Rossi, Janet Deans, James Deans, Jeremy Graber, and Bonnie Donaldson, Charles Mashburn, Stephanie Porter, Victor Colaanni, Tiffany Craney

REPORTS OF STANDING COMMITTEES

Scott Svab reported that the Finance Committee met prior to the meeting to discuss the 2018 budget. With the elimination of some capitol items to the budget, it should be balanced.

CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

8-15-17 Minutes

A motion was made to approve the 8-15-17 minutes by Sean Craney.

Second by Nellie Cihon.

All Council Members voted yes. Motion approved.

9-5-17 Minutes

A motion was made to approve the 9-5-17 minutes by Sean Craney.

Second by Dan Bucher.

All Council Members voted yes. Motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – No report.

Community Service – No report.

Fire Chief - Fire Chief Ray Durkee passed out the August report. Chief Durkee asked for a voice motion to donate cots for training to a local facility.

Chief Durkee asked for a safety committee to discuss several items including the safer grant, grant administration, fire department ordinance review and discussions with Terry Seeburger and the fire district.

A motion was made to donate old cots to Cuyahoga Valley Career Center by Scott Svab.

Second by Sean Craney.

All Council Members voted yes. Motion approved.

A motion was made to have a Safety Committee on October 3, 2017 at 6:00pm to discuss the Safer Grant, review fire department ordinances and discussions with Terry Seeberger in regards to a fire district by Nellie Cihon.

Second by Sean Craney.

All Council Members voted yes. Motion approved.

Police Chief – Report was included in the packet. Chief Doug Swartz commended Officer Ruthrauff for work that he had done on cases while working on the midnight shift. The Chief explained that we have a good working system with Lawrence Township when back up is needed. Dan Bucher stated that the cases would be good cause to pursue the cell phone technology software when the budget allows.

Engineer – Engineer Bill Dorman updated Council on projects that they are working on.

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Streets – Canal Street will be paved by month end. This is part of the Locust/Cherry Intersection project due to the detour on Canal. This is paid for by state and municipal funds.

Public Utilities – No report.

Planning/Zoning – The Zoning Code is being completed and will be presented to Council for approval in November. Mayor Schultz thanked John Workman for volunteering.

Finance Director – August Financials were included in the packet. Finance Director William Rouse stated that the income tax is about even when comparing to last year for the month. Year to year it is still down. This is basically from non-filers and hopefully the gap will be filled by end of year.

Mr. Rouse stated that Ordinance 19-17 was an appropriation ordinance for the Locust Street Storm Sewer project.

A motion was made to approve the August Financials by Danny Losch.

Second by Scott Svab.

All Council Members voted yes. Motion approved.

City Manager – City Manager Mark Cozy stated that Rotary would like to partner with the YMCA. They are looking to be included with the Senior Center with a full-service kitchen. Rotary would sell their building. The YMCA met with the Senior Citizens Commission and they agreed they would like to work to develop the facility in part with the Rotary. The Senior Center building could also be sold then. The Senior Center would manage the space and Rotary would utilize it for their monthly meetings.

Mr. Cozy stated that the Lions Club takes care of Pioneer Cemetery. They have contacted us to help with the split rail fence repairs and maintenance a little more. Mr. Cozy said he would keep Council apprised of anything that comes up but did not see an issue with helping.

Mayor - Mayor Joe Schultz thanked all those that volunteer.

Dan Bucher asked about the second reading for Resolution 20-17 in regards to a plat or restrictions. Mayor Schultz said he reached out to the surveyor. The Mayor said they would have to add the language for the recision clause and approval for non-profit organizations to join.

Mayor Schultz stated he received the contract for the Red Center and they will be moving forward for one year.

Parks & Recreation Board - Earl Minks thanked those involved in repairing the footbridge. Mr. Minks addressed possibly doubling the size of some of the ramps safety issues in the skate park.

Law Director – Law Director Scott Fellmeth stated that his opposition in allowing Springfield Township to join our trash aggregation program.

THIRD READINGS

Resolution 20-17: A Resolution by the City to Enter into the Northeast Ohio Public Energy Council ("NOPEC") and the Execution and Delivery of the Agreement Establishing NOPEC and Approving the Bylaws of NOPEC

A motion was made to approve Resolution 20-17 by Dan Bucher.

The motion dies for lack of a second.

Ordinance 19-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

A motion was made to approve Ordinance 19-17 by Sean Craney.

Second by Dan Bucher.

All Council Members voted yes. Motion approved.

SECOND READINGS

Ordinance 20-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

**CITY OF CANAL FULTON
CITY COUNCIL MEETING AMENDED AGENDA
September 19, 2017**

Resolution 21-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Convey seven (7) Acres to the Canal Fulton YMCA Subject to Conditions and Restrictions.

Resolution 22-17: A Resolution Approving the Statement of Services to be Provided to the Property Owners in the Cherton-Arcadia Annexation Area, the Approximate Date Service will be Provided, Procedure for Incompatible Zoning Uses Upon its Being Annexed to the City of Canal Fulton, Ohio; and Declaring the Same to be an Emergency

Mrs. Mayberry asked about the annexation and timing with Water and the addition of a water tower. Mr. Fellmeth stated that this Resolution was for the services only that the annexation was already approved. This was needed to file the annexation.

A motion was made to suspend the rules by Sean Craney

Second by Danny Losch.

Sue Mayberry voted No, all other Council Members voted yes.

Motion Approved.

A motion was made to approve Resolution 22-17 by Sean Craney.

Second by Nellie Cihon.

Sue Mayberry voted no, all other Council Members voted yes. Motion approved.

Ordinance 21-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Resolution 23-17: A Resolution Approving the Plan of Operation and Governance for the NOPEC Gas Aggregation Program for the Purpose of Jointly Establishing and Implementing a Gas Aggregation Program

Resolution 24-17: A Resolution Authorizing Entering into a Natural Gas Program Agreement with the Northeast Ohio Public Energy Council

Ordinance 22-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

FIRST READINGS

Ordinance 23-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

P.O.s

P.O. 11394 to Rosenbauer South Dakota, LLC in the amount of \$309,830.00 for the 2017 Fire Engine – CORRECTS PO 11385

A motion was made to approve P.O. 11394 by Sue Mayberry

Second by Scott Svab.

All Council Members voted yes. Motion approved.

P.O. 11395 to Myers Equipment Corp in the amount of \$123,709.00 for the 2017 Ambulance – CORRECTS PO 11395

A motion was made to approve P.O. 11395 by Sean Craney.

Second by Nellie Cihon.

All Council Members voted yes. Motion approved.

P.O. 11399 to Core & Main LP HD Waterworks Supply in the amount of \$6,453.29 for Waterline to the New Service Building.

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September 19, 2017**

A motion was made to approve P.O. 11399 by Scott Svab.

Second by Danny Losch.

All Council Members voted yes. Motion approved.

P.O. 11404 to Fire Force, Inc. in the amount of \$75,874.00 for 12 Self Contained Breathing Apparatus and Other Equipment – Grant Funded

A motion was made to approve P.O. 11404 by Dan Bucher.

Second by Danny Losch.

All Council Members voted yes. Motion approved.

P.O. 11406 to J.D. Striping & Service Inc in the amount of \$7,600.00 for painting Yellow Construction Line and White Edge Lines

A motion was made to approve P.O. 11406 by Nellie Cihon.

Second by Dan Bucher.

All Council Members voted yes. Motion approved.

BILLS: August Bills - \$481,458.24

A motion was made to approve the August Bills by Scott Svab.

Second by Danny Losch

All Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS

None

REPORT OF PRESIDENT PRO TEMPORE

Sean Craney stated that he and Danny Losch met with Danny's son Ian and would like to smoot out some of the ramps in the bike/skate park so that it is skate friendly. There is a little texture on the ramps which makes it hard for them to utilize the ramps.

REPORT OF SPECIAL COMMITTEES

None

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Victor Colaianni – 720 Redwood

Mr. Colaianni asked about the non-profit status for the Y legislation. The Mayor stated that the language needed cleaned up on the resolution.

Anna Lea Oakes – 444 Locust Street South

Ms. Oakes was in attendance with her neighbors to voice concerns in regards to the construction going on behind their homes. Ms. Oakes presented photos to Council of the damage that has been done to their homes. She cited several issues with the plans that were done back in 2002 and the changes to the properties that were not noted on the plans. She would like Council to address the issue.

Charles Mashburn – 808 Denshire Drive

Mr. Mashburn read an article from the Independent in regards to the YMCA Controversy with the donation of land. He spoke in regards to a satirical video that was on the Voice of Canal Fulton. There was information in the article in regards to vandalism in the park containing swastikas and writing in regards to Hitler and the article said the video and vandalism may be connected. He was concerned that it turned into what it did and felt the City Manager had led the reporter to write the article in the manner that she did. Joan Porter, writer from the Independent stated that she gave information to the reporter, not Mr. Cozy.

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Nellie Cihon announced that no one should read the Voice of Canal Fulton.

ADJOURNMENT

The meeting was adjourned at 8:27pm

Minutes prepared by Teresa Dolan

Minutes approved by Mayor Joseph A. Schultz

RECORD OF ORDINANCES

BEAR GR. PHICS 800-325-8094 FORM NO. 30043

Ordinance No. 20-17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16,
and Providing for Changes to Previously
Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 Appropriation Ordinance, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF CANAL FULTON, OHIO, THAT:

Section 1: City Council authorizes the Finance Director to increase the appropriations in the General Capital Projects Fund – Fire Department to account for the grant award from the Local Government Safety Capital Grant Program.

General Capital Projects Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	537,837.68	86,000.00	623,837.68

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk of Council

RECORD OF RESOLUTIONS

BEAR OFFICE 800-275-5244 FORM NO. 30013

Resolution No. 21-17

Passed _____, 20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO CONVEY SEVEN (7) ACRES TO THE CANAL FULTON YMCA SUBJECT TO CONDITIONS AND RESTRICTIONS.

WHEREAS, The Council of Canal Fulton desires to donate Seven (7) Acres (Three Hundred Four Thousand Nine Hundred Twenty Square Feet) (304,920 Sq.ft.) to the Canal Fulton YMCA for the construction of a new YMCA in the City subject to certain Conditions and Restrictions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

The City of Canal Fulton will convey Seven (7) Acres of land in the City to the Canal Fulton YMCA for construction of a new facility

Subject to:

1. Right of First Refusal.
2. Forty-Five Thousand and no/100 Dollars (\$45,000.00) Cap on Utility Expenses to be paid by City.
3. Council reserves the right to vote on any New Partners at the facility.
4. Start up waiver reduction for City residents only.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution _____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2017, and that publication of the foregoing Resolution was duly made by listing same on the city's web-site and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

Ordinance No. 21-17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 Appropriation Ordinance, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

Section 1: City Council authorizes the Finance Director to increase the appropriations in the Fire Equipment Fund – Fire Department to account for the purchase of a new fire engine and ambulance through lease financing.

Fire Equipment Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	95,000.00	435,000.00	530,000.00

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk of Council

RECORD OF RESOLUTIONS

SEALY CIVIL SERVICE 800-335-9894 FORM NO. 30045

Resolution No.

23-17

Passed

20

A RESOLUTION APPROVING
THE PLAN OF OPERATION AND
GOVERNANCE FOR THE NOPEC
GAS AGGREGATION PROGRAM FOR
THE PURPOSE OF JOINTLY
ESTABLISHING AND IMPLEMENTING
A GAS AGGREGATION PROGRAM.

WHEREAS, the Council of the City of Canal Fulton (the "Council") previously enacted legislation authorizing Canal Fulton (the "City") to establish a Gas Aggregation Program pursuant to Section 4929.26, Ohio Revised Code (the "Gas Aggregation Program"), for the eligible residents, businesses and other gas consumers located within the unincorporated area of the City, and for that purpose, to act jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, this Council previously enacted legislation authorizing the City to join the Northeast Ohio Public Energy Council so that the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of gas deregulation through group purchasing efforts; and

WHEREAS, on behalf of this Council pursuant to Section 4929.26, Ohio Revised Code, two (2) public hearings have been held on the Plan of Operation and Governance for the NOPEC Gas Aggregation Program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL FULTON, COUNTY OF STARK AND STATE OF OHIO, THAT:

SECTION 1. The Council finds and determines that it is in the best interest of the City, including the gas consumers located within the City to adopt the Plan of Operation and Governance of the NOPEC Gas Aggregation Program, for the purpose of establishing and implementing the Gas Aggregation Program in the City.

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were

RECORD OF RESOLUTIONS

BEAR GRAPHICS, 800-825-8184 FORM 102, 2004

Resolution No. _____ Passed _____, 20____

taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2017, and that publication of the foregoing Resolution was duly made by listing same on the city's web-site and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF RESOLUTIONS

DEPT. OF PUBLIC WORKS - 800-355-8244 - FORM NO. 30245

Resolution No.

24-17

Passed

, 20

A RESOLUTION AUTHORIZING ENTERING INTO A NATURAL GAS PROGRAM AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL.

WHEREAS, under Section 4929.26, Ohio Revised Code, The City of Canal Fulton, Ohio (the "City") is authorized to establish an opt-out natural gas aggregation program for the benefit of eligible natural gas consumers located within the City;

WHEREAS, under Section 4929.26, Ohio Revised Code, the City may exercise such authority jointly with other political subdivisions in the State of Ohio; and

WHEREAS, governmental aggregation provides an opportunity for natural gas consumers collectively to participate in the potential benefits of natural gas deregulation through lower gas rates which they would not otherwise be able to have individually.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CANAL FULTON ("COUNCIL"), COUNTY OF STARK, AND STATE OF OHIO, THAT:

SECTION 1. The Council finds and determines that it is in the best interest of the City and including eligible natural gas consumers located within the City, to establish an opt-out natural gas aggregation program (the "Gas Aggregation Program") in the City, and to enter into a Natural Gas Program Agreement with NOPEC in order to establish a Gas Aggregation Program through NOPEC.

SECTION 2. The City is hereby authorized and desires to execute and deliver the Natural Gas Program Agreement of NOPEC (the "Gas Program Agreement"). The Gas Program Agreement shall be substantially in the form presented to this Council on file with the Fiscal Officer, subject to such changes, insertions and omissions which are consistent with this Resolution and are not substantially adverse to the City and as may be approved by the City, which approval shall be conclusively evidenced by execution of the Gas Program Agreement.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were

RECORD OF RESOLUTIONS

BEAN GRAPHICS 800-545-8584 FORM NO. 30045

Resolution No. _____ Passed _____, 20____

taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2017, and that publication of the foregoing Resolution was duly made by listing same on the city's web-site and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

CLERK GRAPHICS 032-333-0084 FORM NO. 30043

Ordinance No.

2217

Passed

, 20

An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 Appropriation Ordinance, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

Section 1: City Council authorizes the Finance Director to increase the appropriations in the Water Capital Fund (\$12,750.00), the Sewer Capital Fund (\$12,750.00) and the General Capital Projects Fund – Fire Department (\$12,750.00) to account for the cost of sprinkling the new service building located at 960 Milan Street.

Water Capital Projects Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	278,813.99	12,750.00	291,563.99

Sewer Capital Projects Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	304,813.99	12,750.00	317,563.99

General Capital Projects Fund - Fire Dept			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	1,058,837.68	12,750.00	1,071,587.68

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk of Council

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 23 17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16, and
Providing for Changes to Previously Authorized
Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 Appropriation Ordinance, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF CANAL FULTON, OHIO, THAT:

Section 1: In order to account for the additional costs associated with civil service testing, electricity and to meet other budget needs, Council authorizes the following appropriation amendments.

Fund/Department	Previously Approved	Change	New Appropriation
General Fund			
Income Tax - Operating	\$106,600	(\$10,000)	\$96,600
Finance Dept. - Operating	\$40,844	(\$3,000)	\$37,844
Lands & Buildings - Personnel	\$53,854	(\$3,000)	\$50,854
Legal - Operating	\$45,750	\$6,000	\$51,750
Lands & Buildings - Operating	\$65,700	\$3,000	\$68,700
Parks/Recreation - Operating	\$33,575	\$3,000	\$36,575
Street Lighting Electric - Operating	\$19,000	\$4,000	\$23,000
State Highway Improvement Fund			
Street - Operating	\$21,750	\$4,000	\$25,750

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk of Council

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 Appropriation Ordinance, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

Section 1: In order to account for the additional costs associated with reallocating the City's general engineering costs, Council authorizes the following appropriation amendments.

Fund/Department	Previously Approved	Change	New Appropriation
General Fund			
Engineering - Operating	\$75,000	(\$37,700)	\$37,300
Water Operating Fund			
Water - Operating	\$641,651	\$18,850	\$660,501
Sewer Operating Fund			
Sewer - Operating	\$810,051	\$18,850	\$828,901

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk of Council

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 25-17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16, and
Providing for Changes to Previously Authorized
Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 Appropriation Ordinance, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF CANAL FULTON, OHIO, THAT:

Section 1: In order to purchase a new utility truck, Council authorizes the following appropriation amendments.

	Fund/Department	Previously Approved	Change	New Appropriation
	Water Capital Fund			
Water	Capital	\$291,564	\$17,500	\$309,064
	Sewer Capital Fund			
Sewer	Capital	\$317,564	\$17,500	\$335,064

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk of Council

RECORD OF RESOLUTIONS

HAR GRAPHIC 800-365-5854/FORM NO. 80045

Resolution No. 25.17

Passed _____, 20____

A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO TO CONVEY SEVEN (7) ACRES
TO THE CANAL FULTON YMCA
SUBJECT TO CONDITIONS AND
RESTRICTIONS.

WHEREAS, The Council of Canal Fulton desires to donate Seven (7)
Acres (Three Hundred Four Thousand Nine Hundred Twenty Square Feet)
(304,920 Sq.ft.) to the Canal Fulton YMCA for the construction of a new
YMCA in the City subject to certain Conditions and Restrictions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF CANAL FULTON, OHIO, THAT:

The City of Canal Fulton will convey Seven (7) Acres of land in the City
to the Canal Fulton YMCA for construction of a new facility
Subject to:

1. The conveyed premises herein shall revert to the City of Canal Fulton,
Ohio in fee simple absolute should a YMCA facility not be built on
conveyed premises within five (5) years from date of real estate
transfer.
2. Said facility shall include a swimming pool.
3. Forty-Five Thousand and no/100 Dollars (\$45,000.00) Cap on
Utility Expenses to be paid by City.
4. Council reserves the right to approve any New Partners for Profit at
the facility.
5. Start up waiver reduction for City residents only.
6. The YMCA shall pay all legal and title expenses related to the
conveyance of the premises including survey, plat and appraisal fees.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby
certify that this is a true and correct copy of Resolution _____-17, duly

RECORD OF RESOLUTIONS

SEAF GRAPHICS 800-355-5551 FORM NO. 3004

Resolution No. _____ Passed _____, 20____

adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, and that publication of the foregoing Resolution was duly made by listing same on the city's web-site and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF RESOLUTIONS

RESOLUTION RECORD FORM NO. 0004

Resolution No.

2617

Passed

, 20

A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO TO ENTER INTO AN AGREEMENT
WITH THE BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION FOR POLICE
DISPATCHING SERVICES.

WHEREAS, the City of Canal Fulton, Ohio has sought bids for 24 hour
per day Police dispatching services to the Canal Fulton Police Department, and

WHEREAS, the Board of Trustees of Local Organized Governments in
Cooperation (L.O.G.I.C.) have offered to provide said services at a rate
acceptable to the City.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF CANAL FULTON, OHIO, THAT:

The City of Canal Fulton agrees to enter into an agreement with the Board
of Trustees of Local Governments in Cooperation for Police Dispatching
Services pursuant to contract attached as Exhibit "A" and incorporated by
reference herein.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby
certify that this a true and correct copy of Resolution ____17, duly
adopted by the Council of the City of Canal Fulton, on the date of _____.
2017, and that publication of the foregoing Resolution was duly made by listing
same on the city's web-site and by posting true and correct copies thereof at
three of the most public places in said corporation as determined by Council as
follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal
Fulton City Hall each for a period of fifteen days, commencing on the
_____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

Exhibit "A"

L.O.G.I.C.
Local Organized Governments in Cooperation
R.E.D. Center
Regional Emergency Dispatch Center
5735 Wales Ave NW
Massillon, Ohio 44646

Contract for Dispatch Services - Police

This contract entered into this 19 day of September, 2017, pursuant to ORC Sections 167.08, between the City of Canal Fulton, Stark County, Ohio (hereafter Canal Fulton) who has entered into the attached Agreement with the Board of Trustees of Local Organized Governments in Cooperation, a council of Governments (hereafter L.O.G.I.C.).

WHEREAS, the R.E.D. Center is a Regional Emergency Dispatch Center established and operated by L.O.G.I.C. in accordance with O R C §167, for the purposes of providing dispatch services to multi-jurisdictions;

Whereas, from time to time new jurisdictions wish to contract for R.E.D. Center services;

WHEREAS, the Board has approved and authorized the President of the Board to execute and deliver this Contract with Canal Fulton relating to the administration of the dispatch services; and

WHEREAS, Canal Fulton has been authorized by its governing body to enter into this Contract;

NOW THEREFORE, in consideration at the premises and mutual covenants hereinafter contained, L.O.G.I.C., and Canal Fulton agree as follows:

Section 1: Services and Charges

1.01: It is hereby agreed that in exchange for the Regional Emergency Dispatch Center performing dispatching services described in the attached Exhibit A for the Canal Fulton agrees to pay L.O.G.I.C., as follows:

the maximum sum of \$ 11.51 per person in 2018, for the sum total of \$62,534.

1.02: L.O.G.I.C. agrees to invoice Canal Fulton monthly for the dispatching services rendered. Canal Fulton agrees to pay L.O.G.I.C. within thirty (30) days of receipt of the monthly invoice.

1.03. The addition of a new member shall require L.O.G.I.C. and Canal Fulton to modify this contract as provided herein within sixty (60) days of the change in the population due to the new membership.

Section 2: Term of Contract

- 2.01: This Contract shall be effective from January 1, 2018, through December 31st, 2018. Notwithstanding the foregoing, L.O.G.I.C. may cancel this contract for any reason, with or without cause, by giving thirty (30) days' written notice to Canal Fulton.
- 2.02: Canal Fulton can request termination of this Contract prior to December 31st, 2018 upon proof of financial hardship if said termination is approved by L.O.G.I.C.

Section 3: Termination; Payment

- 3.01: This Agreement also terminates if any County Regional Dispatch operation occurs that replaces the dispatching operations described in this agreement.
- 3.02: Canal Fulton can request termination of this Contract prior to December 31st, 2018 upon proof of financial hardship if said termination is approved by L.O.G.I.C. Upon approval of termination Canal Fulton agrees to pay all outstanding service charges and fees within thirty (30) days of L.O.G.I.C.'s written demand for the same.

Section 4: Indemnification

Except to the extent any damages are caused by the negligent or willful acts or omissions of L.O.G.I.C., their agents, or employees, Canal Fulton shall save harmless and indemnify L.O.G.I.C., its agents or employees from and against any and all liability, liens, claims, demands, damages, expenses, costs, fines, penalties, suits, proceedings, actions and causes of action of any kind and every kind and nature arising or growing out of or in any way connected with Canal Fulton response, failure to respond, omission, management or control of Canal Fulton Police Protection Services, equipment and its operations, conduct or activities in connection with dispatched calls and fulfilling its obligations under the terms of this agreement. This section shall survive the termination of this agreement.

Section 5: Severability

In case any section or provision of this Contract or any covenant, stipulation, obligation agreement act or action, or part thereof made, assumed entered into or taken thereunder or any application thereof, is for any reason held to be illegal or invalid, such illegality or invalidity shall not affect the remainder thereof or any other section or provision thereof or any other covenant stipulation, obligation, agreement act or action, or part thereof made, assumed, entered into, or taken thereunder (except to the extent that such remainder or section or provision or other covenant stipulation obligation, agreement act or action or part thereof is wholly dependent for its operation on the provision determined to be invalid), which shall be construed and enforced as if such illegal or invalid portion were not contained therein, nor shall such illegality or invalidity of any application on thereof affect any legal and valid application thereof, and each such section, provision covenant, stipulation, obligation, agreement act or action or part thereof shall be deemed to be effective, operative made, entered into or taken in the manner and to the full extent permitted by law.

Section 6: Amendments, Changes and Modifications

This Contract may not be effectively amended, changed, modified or added to except by an instrument executed in the same manner as this Contract and approved by each party hereto at such time.

Section 7: Waiver

Any waiver by either party of any provision of this agreement shall not imply a subsequent waiver of that or any other provision.

Section 8: Counterparts

This Contract may be executed in any number of counterparts, each of which shall be regarded as original and all of which shall constitute but one and the same instrument.

Section 9: Captions and Headings

The captions and headings in this Contract are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of the Agreement.

Section 10: Laws of State Govern

The Contract shall be deemed to be an agreement made under the laws of the State of Ohio and for all purposes shall be governed by and construed in accordance with the laws of the State of Ohio.

Section 11: Notice

Any notice required or permitted to be given under this agreement shall be deemed properly given at the time it is personally delivered or mailed, properly addressed and postpaid, to the address specified below or to such other address as may be specified in writing:

L.O.G.I.C.: Regional Emergency Dispatch Center (R.E.D.) Center
5735 Wales Ave., NW
Massillon, OH 44646
Attention: Mark Busto

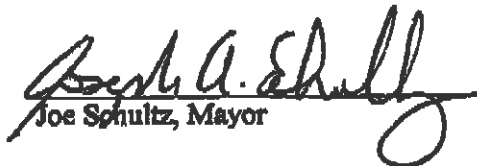
MEMBER: City of Canal Fulton
155 E. Market St
Canal Fulton, Ohio 44647
Attention: Joe Schultz

IN WITNESS WHEREOF, L.O.G.I.C., acting by and through the Board, and
Canal Fulton have caused the Contract to be executed and effective on
the date set forth above.

BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION

CITY OF CANAL FULTON
STARK COUNTY, OHIO

Mark Brink, L.O.G.I.C. President


Joe Schultz, Mayor

Date: _____

Date: 9-19-17

RECORD OF RESOLUTIONS

RESOLUTION NO. 2017-17

Resolution No. 27-17

Passed _____

, 20 _____

A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO TO ENTER INTO AN AGREEMENT
WITH THE BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION FOR FIRE/EMS
DISPATCHING SERVICES.

WHEREAS, the City of Canal Fulton, Ohio has sought bids for 24 hour
per day Fire and EMS (Emergency Medical Service) dispatching services to the
Canal Fulton Fire Department, and

WHEREAS, the Board of Trustees of Local Organized Governments in
Cooperation (L.O.G.I.C.) have offered to provide said services at a rate
acceptable to the City.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF CANAL FULTON, OHIO, THAT:

The City of Canal Fulton agrees to enter into an agreement with the Board
of Trustees of Local Governments in Cooperation for Fire/EMS Dispatching
Services pursuant to contract attached as Exhibit "A" and incorporated by
reference herein.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby
certify that this a true and correct copy of Resolution _____ 17, duly
adopted by the Council of the City of Canal Fulton, on the date of _____.
2017, and that publication of the foregoing Resolution was duly made by listing
same on the city's web-site and by posting true and correct copies thereof at
three of the most public places in said corporation as determined by Council as
follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal
Fulton City Hall each for a period of fifteen days, commencing on the
_____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

Exhibit "A"

L.O.G.I.C.
Local Organized Governments in Cooperation
R.E.D. Center
Regional Emergency Dispatch Center
5735 Wales Ave NW
Massillon, Ohio 44646

Contract for Dispatch Services - Fire

This contract entered into this 19 day of September, 2017, pursuant to ORC Sections 167.08, between the City of Canal Fulton, Stark County, Ohio (hereafter Canal Fulton) who has entered into the attached Agreement with the Board of Trustees of Local Organized Governments in Cooperation, a council of Governments (hereafter L.O.G.I.C.).

WHEREAS, the R.E.D. Center is a Regional Emergency Dispatch Center established and operated by L.O.G.I.C. in accordance with ORC §167, for the purposes of providing dispatch services to multi-jurisdictions;

Whereas, from time to time new jurisdictions wish to contract for R.E.D. Center services;

WHEREAS, the Board has approved and authorized the President of the Board to execute and deliver this Contract with Canal Fulton relating to the administration of the dispatch services; and

WHEREAS, Canal Fulton has been authorized by its governing body to enter into this Contract;

NOW THEREFORE, in consideration at the premises and mutual covenants hereinafter contained, L.O.G.I.C., and Canal Fulton agree as follows:

Section 1: Services and Charges

1.01: It is hereby agreed that in exchange for the Regional Emergency Dispatch Center performing dispatching services described in the attached Exhibit A for the Canal Fulton agrees to pay L.O.G.I.C., as follows:

the maximum sum of \$ 50.26 per call in 2018, for the sum total of \$43,324.

1.02: L.O.G.I.C. agrees to invoice Canal Fulton monthly for the dispatching services rendered. Canal Fulton agrees to pay L.O.G.I.C. within thirty (30) days of receipt of the monthly invoice.

1.03: The addition of a new member shall require L.O.G.I.C. and Canal Fulton to modify this contract as provided herein within sixty (60) days of the change in the population due to the new membership.

Section 2: Term of Contract

- 2.01: This Contract shall be effective from January 1, 2018, through December 31st, 2018. Notwithstanding the foregoing, L.O.G.I.C. may cancel this contract for any reason, with or without cause, by giving thirty (30) days' written notice to Canal Fulton.
- 2.02: Canal Fulton can request termination of this Contract prior to December 31st, 2018 upon proof of financial hardship if said termination is approved by L.O.G.I.C.

Section 3: Termination; Payment

- 3.01: This Agreement also terminates if any County Regional Dispatch operation occurs that replaces the dispatching operations described in this agreement.
- 3.02: Canal Fulton can request termination of this Contract prior to December 31st, 2018 upon proof of financial hardship if said termination is approved by L.O.G.I.C. Upon approval of termination Canal Fulton agrees to pay all outstanding service charges and fees within thirty (30) days of L.O.G.I.C.'s written demand for the same.

Section 4: Indemnification

Except to the extent any damages are caused by the negligent or willful acts or omissions of L.O.G.I.C., their agents, or employees, Canal Fulton shall save harmless and indemnify L.O.G.I.C., its agents or employees from and against any and all liability, liens, claims, demands, damages, expenses, costs, fines, penalties, suits, proceedings, actions and causes of action of any kind and every kind and nature arising or growing out of or in any way connected with Canal Fulton response, failure to respond, omission, management or control of Canal Fulton Fire Protection Services, equipment and its operations, conduct or activities in connection with dispatched calls and fulfilling its obligations under the terms of this agreement. This section shall survive the termination of this agreement.

Section 5: Severability

In case any section or provision of this Contract or any covenant, stipulation, obligation agreement act or action, or part thereof made, assumed entered into or taken thereunder or any application thereof, is for any reason held to be illegal or invalid, such illegality or invalidity shall not affect the remainder thereof or any other section or provision thereof or any other covenant stipulation, obligation, agreement act or action, or part thereof made, assumed, entered into, or taken thereunder (except to the extent that such remainder or section or provision or other covenant stipulation obligation, agreement act or action or part thereof is wholly dependent for its operation on the provision determined to be invalid), which shall be construed and enforced as if such illegal or invalid portion were not contained therein, nor shall such illegality or invalidity of any application on thereof affect any legal and valid application thereof, and each such section, provision covenant, stipulation, obligation, agreement act or action or part thereof shall be deemed to be effective, operative made, entered into or taken in the manner and to the full extent permitted by law.

Section 6: Amendments, Changes and Modifications

This Contract may not be effectively amended, changed, modified or added to except by an instrument executed in the same manner as this Contract and approved by each party hereto at such time.

Section 7: Waiver

Any waiver by either party of any provision of this agreement shall not imply a subsequent waiver of that or any other provision.

Section 8: Counterparts

This Contract may be executed in any number of counterparts, each of which shall be regarded as original and all of which shall constitute but one and the same instrument.

Section 9: Captions and Headings

The captions and headings in this Contract are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of the Agreement.

Section 10: Laws of State Govern

The Contract shall be deemed to be an agreement made under the laws of the State of Ohio and for all purposes shall be governed by and construed in accordance with the laws of the State of Ohio.

Section 11: Notice

Any notice required or permitted to be given under this agreement shall be deemed properly given at the time it is personally delivered or mailed, properly addressed and postpaid, to the address specified below or to such other address as may be specified in writing:

L.O.G.I.C.: Regional Emergency Dispatch Center (R.E.D.) Center
5735 Wales Ave., NW
Massillon, OH 44646
Attention: Mark Busto

MEMBER: City of Canal Fulton
155 E. Market St
Canal Fulton, Ohio 44614
Attention: Joe Schultz

IN WITNESS WHEREOF, L.O.G.I.C., acting by and through the Board, and
Canal Fulton have caused the Contract to be executed and effective on
the date set forth above.

BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION

CITY OF CANAL FULTON
STARK COUNTY, OHIO

Mark Brink, L.O.G.I.C. President


Joe Schultz, Mayor

Date: _____

Date: 9-19-17

RECORD OF RESOLUTIONS

YEAR GRAPHIC: 2017 FORM NO. 30001

Resolution No.

28-17

Passed

20

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO AN AMENDED AGREEMENT WITH THE BOARD OF TRUSTEES OF LOCAL ORGANIZED GOVERNMENTS IN COOPERATION FOR A REGIONAL COUNCIL OF GOVERNMENTS.

WHEREAS, The Board of Trustees of Local Organized Governments In Cooperation (L.O.G.I.C.) was created on July 29, 1986 by The Board of Trustees Jackson Township and The City of Massillon as a regional council of government under Chapter 167 of the Ohio Revised Code for the purpose of providing a permanent forum for discussion and study of problems of mutual interest and concern to Jackson Township and Massillon, and

WHEREAS, The Regional Emergency Dispatch Center, hereinafter referred to as R.E.D. Center was then established by L.O.G.I.C. R.E.D. Center's current functions include, but are not limited to, dispatching services for participating Police and Fire Departments, and

WHEREAS, additional political subdivisions may and have become members of the Council upon (i) submission of a written request of the same, including approval by the applicant's governing body of this Agreement and the By-Laws of L.O.G.I.C., as the same may be amended from time to time; and (ii) approval of the same by resolution of the Council.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

The City of Canal Fulton agrees to enter into an amended agreement with the Board of Trustees of Local Governments in Cooperation for a Regional Council of Governments pursuant to agreement attached as Exhibit "A" and incorporated by reference herein.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this a true and correct copy of Resolution ____17, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2017, and that publication of the foregoing Resolution was duly made by listing

RECORD OF RESOLUTIONS

BANK GRAPHICS INC-385 FORM NO. 8048

Resolution No. _____ Passed _____, 20____

same on the city's web-site and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall each for a period of fifteen days, commencing on the _____ day of _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

Exhibit "A"**LOCAL ORGANIZED GOVERNMENTS IN COOPERATION - L.O.G.I.C.
AMENDED AGREEMENT****I. PURPOSE**

The Board of Trustees of Local Organized Governments In Cooperation (L.O.G.I.C.) was created on July 29, 1986 by The Board of Trustees Jackson Township and The City of Massillon as a regional council of government under Chapter 167 of the Ohio Revised Code for the purpose of providing a permanent forum for discussion and study of problems of mutual interest and concern to Jackson Township and Massillon. The Regional Emergency Dispatch Center, hereinafter referred to as R.E.D. Center was then established by L.O.G.I.C. R.E.D. Center's current functions include, but are not limited to, dispatching services for participating Police and Fire Departments.

II. GENERAL AUTHORITY

A. L.O.G.I.C. shall have the powers provided for a regional council of governments as set forth in Chapter 167 of the Ohio Revised Code and all other such powers agreed to by the L.O.G.I.C. Board and permitted by law.

B. L.O.G.I.C. shall adopt and maintain agreements with all member political subdivisions for the operational funding of R.E.D. Center.

C. The authority granted to L.O.G.I.C. by this section or in any agreement by the members thereof shall not displace any existing municipal, county, regional, or other planning commission or planning agency in the exercise of its statutory powers.

III. MEMBERSHIP OF L.O.G.I.C.

A. Eligibility - Governing bodies of any two or more counties, municipal corporations, townships, special districts, school districts, or other political subdivisions may enter into an agreement with each other, or with the governing bodies of any counties, municipal corporations, townships, special districts, school districts or other political subdivisions of any other state to the extent that laws of such other state permit, for establishment of a regional council consisting of such political subdivisions.

B. Initial Membership - The initial members of L.O.G.I.C. (each, "L.O.G.I.C. Member") were and continue to be L.O.G.I.C. Members are the Township of Jackson, Stark County, Ohio and the City of Massillon, Stark County, Ohio.

C. Membership - From time to time, additional political subdivisions may and have become members of the Council upon (i) submission of a written request of the same, including approval by the applicant's governing body of this Agreement and the By-Laws of L.O.G.I.C., as the same may be amended from time to time; and (ii) approval of the same by resolution of the Council.

IV. REPRESENTATION

A. Representation on the L.O.G.I.C. Board by the initial two L.O.G.I.C. Members (the Township of Jackson, Stark County, Ohio and the City of Massillon, Stark County, Ohio) shall be as follows:

- 1.) Jackson Township-a Trustee, Fire Chief and Police Chief.
- 2.) City of Massillon-its Safety Director, Fire Chief and Police Chief.

B. The governing body of each L.O.G.I.C. Member accepted into the membership of the council after July 29, 1986 will be represented by a single representative.

C. At any time, a representative to L.O.G.I.C. Board may designate, through a written designation provided to the Secretary of L.O.G.I.C., another person representing the L.O.G.I.C. Member to L.O.G.I.C. Board for the period of time so designated.

V. POWERS

A. Pursuant to ORC Section 167.03(A), and in carrying out its purposes as set forth in Sections I and II of this Agreement, the L.O.G.I.C. Board shall have the power to:

1. Study issues affecting or common to L.O.G.I.C. Members as it deems appropriate, including specifically as may be necessary in connection with the purposes set forth in Section I of this Agreement; and
2. Promote cooperative arrangements and coordinate action among L.O.G.I.C. Members, and between L.O.G.I.C. Members and other agencies of local or state governments, whether within or not within Ohio, and the federal government;
3. Make recommendations for review and action to L.O.G.I.C. Members and to other public agencies that function within the region;
4. Promote cooperative agreements and contracts among L.O.G.I.C. Members or other governmental agencies and private persons, corporations, or agencies;
5. Perform planning directly by personnel of the L.O.G.I.C., or under contracts between the L.O.G.I.C. and other public or private planning agencies;
6. Apply for and administer grants from state and federal agencies and private and civic sources;
7. Perform such other functions and duties as are performed or are capable of performance by the L.O.G.I.C. Board or its L.O.G.I.C. Members and necessary or desirable for dealing with problems of mutual concern; and

8. Perform such other functions or duties as are set forth in ORC Chapter 167 and may be approved by L.O.G.I.C. from time to time.

VI. EMPLOYEES, SUPPLIES, MATERIALS, EQUIPMENT, AND FACILITIES

A. The L.O.G.I.C. Board may purchase or lease such supplies, equipment, materials and facilities as are necessary to carry out its functions. The Council additionally may employ such staff and contract, or contract with other organizations, for the services of such persons as it shall deem necessary to carry out its duties, shall set their compensation and benefits and may terminate their employment without cause at any time.

VII. BY-LAWS

A. For purposes of adopting by-laws, each L.O.G.I.C. Members representative(s) shall vote on its behalf, and those representatives shall adopt by simple majority vote by-laws designating the officers of the L.O.G.I.C. and the method of selection thereof, creating a governing board that may act for L.O.G.I.C. as provided in such by-laws, appointing a fiscal agent, and providing for the conduct of its business. No by-law may be inconsistent with the provisions of this Agreement nor in excess of the authority granted by the provisions of the ORC. L.O.G.I.C. shall have the authority, by majority vote of the designated representatives of L.O.G.I.C. Members, to update the by-laws and other governing documents from time to time when determined appropriate.

VIII. FINANCIAL SUPPORT AND EXPENDITURES

A. L.O.G.I.C. shall be supported by financial and in-kind contributions from the L.O.G.I.C. Members, and from other revenue sources as developed by L.O.G.I.C., made in such a manner and to such extent as determined by majority vote of the L.O.G.I.C. Board. L.O.G.I.C. Board also may accept any gift, bequest, devise, grant, services or payment. The L.O.G.I.C. Board shall determine the appropriate expenditure of all money available to it in order to carry out the purpose of this agreement. The L.O.G.I.C. Board shall make an annual report of its activities to the legislative bodies of each of the L.O.G.I.C. Members.

IX. WITHDRAWAL OF MEMBER

A. Any L.O.G.I.C. Member may withdraw from L.O.G.I.C. upon one hundred-twenty (120) days' written notice to each of the other L.O.G.I.C. Members. No dues or assessments paid by such member shall be refunded, and all obligations to L.O.G.I.C. assumed by the L.O.G.I.C. Member prior to submitting the notice of intent to withdraw shall continue until the end of L.O.G.I.C. Board's then-current fiscal year. Start-up funds, grant funds, in-kind donations, gifts, supplies and funds residing in the capital expense fund will not be returned the withdrawing L.O.G.I.C. member.

X. DISSOLUTION OF L.O.G.I.C

A. Vote - L.O.G.I.C. may be dissolved a 2/3 vote of all L.O.G.I.C. Members' representative(s) at any regular meeting. Prior to any vote on dissolution, each L.O.G.I.C. Member shall receive

at least forty-five (45) days' notice from the Chairman that the matter of dissolution will be voted upon.

B. Dissolving L.O.G.I.C. - Upon an affirmative vote to dissolve L.O.G.I.C., L.O.G.I.C. shall immediately cease to do business and shall only do such acts as are required to conclude its affairs. The L.O.G.I.C. Board officers shall direct all pending business until all L.O.G.I.C. affairs are concluded.

C. Distribution of Assets - At the conclusion of all L.O.G.I.C. affairs, any unclaimed assets remaining on the books shall be distributed according to the following:

1. All tangible personal property previously loaned or given to L.O.G.I.C. that is clearly identified as to ownership shall be returned to the owner member.
2. All remaining tangible personal property shall be sold at public sale in accordance with Ohio Revised Code Section 505.10. The cash proceeds thereof shall be equally divided among all members after all liabilities, if any, have been satisfied.
3. All unexpended monies from federal, state and local sources for services that are not provided and will not be provided by the dissolution date will be returned.
4. All remaining assets and other intangibles shall be equally divided among the initial members as identified in Section III(B), after all liabilities, if any, have been satisfied.

XI. NOTICE

All notices and demands of any kind that either party may be required or may desire to give to the other in connection with this Agreement must be delivered personally or by certified mail at the addresses set forth below, or as later mutually agreed on.

L.O.G.I.C: Regional Emergency Dispatch Center (R.E.D.) Center
5735 Wales Avenue NW
Massillon, OH 44646
Attention: Mark Busto

MEMBER: City of Canal Fulton
155 E. Market St
Canal Fulton, Ohio 44614
Attention: Joe Schultz

XII. AMENDMENTS

A. This agreement may be amended from time to time by the action of a simple majority of the governing bodies of the L.O.G.I.C. Members.

IN WITNESS WHEREOF, the parties have executed this instrument on the date set forth below.

BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION

CITY OF CANAL FULTON
STARK COUNTY, OHIO

Mark Brink, L.O.G.I.C. President



Joe Schultz, Mayor

Date: _____

Date: 9-19-17

BILL TO:



City of Canal Fulton

155 East Market Street, Suite #A
Canal Fulton, Ohio 44614-1305
(330) 854-2225 • FAX (330) 854-6913

PURCHASE ORDER

P.O. NUMBER

RG011407

P.O. DATE

09/21/17

DEPARTMENT

ENGINEERING

CREATED BY

VENDOR NO.

00486

DELIVER
TO:

CANAL FULTON ADMINISTRATION
155 E. MARKET ST.
SUITE #A
CANAL FULTON, OH 44614

VENDOR:

CTI ENGINEERS, INC.
220 MARKET AVE SOUTH
SUITE 750
CANTON, OH 44702

ACCOUNT NUMBER	AMOUNT
101.160.5360	\$27,300.00
541.310.5360	\$18,850.00
551.330.5360	\$18,850.00

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES.
Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		<p>GENERAL ENGINEERING SERVICES-REPLACES P.O. #11108 NOW AND THEN CERTIFICATE I CERTIFY FUNDS FOR THIS PURCHASE WERE AVAILABLE THEN ____/____/____ AVAILABLE NOW ____/____/____ SIGNED:</p> <p>THIS THEN AND NOW CERTIFICATE IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____/____/____</p>		\$65,000.00
TOTAL:				\$65,000.00

CIRCLE IF APPLICABLE: Now and then P.O. – the purchase was made before approval of P.O. Funds were available then as they are available now.

FISCAL OFFICER'S CERTIFICATE

I hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection on the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date

City Manager / Mayor

Date

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR

PURCHASE ORDER

PO NUMBER

RG011408

P.O. DATE

09/21/17

DEPARTMENT

WATER

CREATED BY

VENDOR NO.

03133

DELIVER
TO:

CANAL FULTON ADMINISTRATION
155 E. MARKET ST.
SUITE #A
CANAL FULTON, OH 44614

VENDOR:

BOB ROSS AUTO GROUP
85 LOOP ROAD
CENTERVILLE, OH 45459

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES.
Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID # 34-6000498

ACCOUNT NUMBER	AMOUNT
341.310.5710	\$17,000.00
351.330.5710	\$17,000.00

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		2017 GMC 3500 PICK UP TRUCK FOR UTILITIE STATE CONTRACT THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____.		\$34,000.00
			TOTAL:	\$34,000.00

CIRCLE IF APPLICABLE: Now and then P.O. – the purchase was made before approval of P.O. Funds were available then as they are available now.

FISCAL OFFICER'S CERTIFICATE

I hereby certify that the amount required to meet the contract, agreement, obligation, or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection on the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date _____

City Manager / Mayor

Date _____

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR

BILL TO:DELIVER
TO:

City of Canal Fulton PURCHASE ORDER

155 East Market Street, Suite #A
Canal Fulton, Ohio 44614-1305
(330) 854-2225 • FAX (330) 854-6913

P.O. NUMBER

RG011422

P.O. DATE

09/29/17

DEPARTMENT

FIRE/EMS

CREATED BY

VENDOR NO.

03137

CANAL FULTON ADMINISTRATION
155 E. MARKET ST.
SUITE #A
CANAL FULTON, OH 44614

VENDOR:

ROLL N RACK LLC
P.O. BOX 328
MUKWONAGO, WI 53149

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES.
Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID # 34-6000498

ACCOUNT NUMBER	AMOUNT
391.210.5730	\$8,235.00

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		<p>PURCHASE OF A POWER HOSE ROLLER & CART. APPROVED FOR PURCHASE USING PUBLIC SAFETY GRANT FUND</p> <p>THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____</p>		\$8,235.00
TOTAL:				\$8,235.00

CIRCLE IF APPLICABLE: Now and then P.O. – the purchase was made before approval of P.O. Funds were available then as they are available now.

FISCAL OFFICER'S CERTIFICATE

I hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection on the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date

City Manager / Mayor

Date

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR

BILL TO:



City of Canal Fulton

155 East Market Street, Suite #A
Canal Fulton, Ohio 44614-1305
(330) 854-2225 • FAX (330) 854-6913

DELIVER
TO:

CANAL FULTON ADMINISTRATION
155 E. MARKET ST.
SUITE #A
CANAL FULTON, OH 44614

VENDOR:

GUIST DECORATORS
1801 BROWNLEE AVE., N.E.
CANTON, OHIO 44705

PURCHASE ORDER

P.O. NUMBER

RG011423

P.O. DATE

09/29/17

DEPARTMENT

SEWER

CREATED BY

VENDOR NO.

02911

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES.
Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID # 34-6000498

ACCOUNT NUMBER	AMOUNT
351.330.5730	\$16,500.00

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		SAND BLAST AND PAINT CLARIFIER #2 TANK		\$16,500.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____		
			TOTAL:	\$16,500.00

CIRCLE IF APPLICABLE: Now and then P.O. – the purchase was made before approval of P.O. Funds were available then as they are available now.

FISCAL OFFICER'S CERTIFICATE

I hereby certify that the amount required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection on the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date

City Manager / Mayor

Date

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR